

405 KAR 1:080. Signs and markers.

RELATES TO: KRS 350.200, 350.210

STATUTORY AUTHORITY: KRS 350.028

NECESSITY, FUNCTION, AND CONFORMITY: KRS 350.028 requires the Environmental and Public Protection Cabinet to adopt rules and administrative regulations for the strip mining of coal. This administrative regulation sets forth requirements relating to the use of signs and markers at strip mining operations.

Section 1. General. All signs required to be posted shall be of a standard design that can be seen and read easily and shall be made of durable material. Signs and other markers shall be maintained by the permittee during all operations to which they pertain and shall be kept legible and visible and shall conform to all local ordinances and codes. The cabinet may establish standards for construction of signs and markers as necessary to accomplish the purposes of this administrative regulation.

Section 2. Mine and Permit Identifications Signs. (1) Signs identifying the mine area shall be displayed at all points of access to the permit area from public roads and highways. Signs shall clearly identify the name, business address, and telephone number of the permittee and identification numbers of current mining and reclamation permits or other authorizations to operate. Such signs shall not be removed until after release of all bonds. Failure to post such signs shall be grounds for revocation of the permit.

(2) Signs constructed pursuant to this section shall be constructed of wood or other durable material, with the sign face to be at least two (2) feet in height and four (4) feet in width, and the top of the sign to stand not less than six (6) feet above the ground.

Section 3. Perimeter Markers. The perimeter of the permit area shall be clearly marked by durable and easily recognized markers. Perimeter markers shall have permit numbers permanently affixed and, except on heavily vegetated areas, shall be located so that adjacent markers are clearly visible.

Section 4. Buffer Zone Markers. Land areas within 100 feet of perennial and intermittent streams shall not be disturbed unless specifically authorized by the cabinet. Such areas to be undisturbed are to be designated as buffer zones and shall be marked along the interior boundary of the buffer zone in a manner consistent with perimeter markers.

Section 5. Blasting Signs. If blasting is necessary to conduct strip mining operations, signs reading "Blasting Area" shall be displayed conspicuously at the edge of blasting areas along access and haul roads within the mine property. Signs reading "Blasting Area" and explaining the blasting warning and all-clear signals shall be posted at all entrances to the permit area.

Section 6. Topsoil Markers. Areas where topsoil or other vegetation-supporting material is segregated and stockpiles shall be marked. Placement and quantity of markers shall be sufficient to clearly define such stockpiles. Markers shall remain in place until the material is removed.

Section 7. Monuments Marking Permit Areas. The permittee shall place a monument at the beginning and end of each original and additional permit area. Such monument shall consist of a metal pipe, at least three (3) inches in diameter, which shall be permanently fixed by the operator to protrude at least three (3) feet above the surface of the ground. The permit number shall be placed on the monument. (4 Ky.R. 384; eff. 5-3-78; Am. 482; 5 Ky.R. 196; eff. 8-23-78; TAm eff. 8-9-2007.)